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DEPT PLS PASS GENERALIZED SYSTEM OF PREFERENCES COLLECTIVE

PASS TO THE DEPARTMENT OF LABOR, DOL/ILAB FOR TINA MCCARTER
AND DRL/IL FOR LAUREN HOLT

E.O. 12958: N/A

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SUBJECT: TURKEY: UPDATE OF WORST FORMS OF CHILD LABOR
INFORMATION FOR MANDATORY REPORTING REQUIREMENTS

REF: STATE 143552

1. Turkey has made a commitment to eliminate child labor as it pursues its EU membership bid. The GOT's short-term goal is to limit and improve the conditions under which children work. The GOT's long-term goal is to increase access to basic and vocational education as a means of improving the future prospects of working children and withdrawing them from employment while they are children.

2. Post is pleased to provide responses to questions posted in the Department of Labor's "Request for Update of Worst Forms of Child Labor Information for Mandatory Reporting Requirements," reftel, paragraph 7, sections A through E.

A. Whether Turkey has adequate laws and regulations proscribing the worst forms of child labor:

--Besides implementing provisions stipulated in the Turkish Constitution, Labor Law No. 4857, the General Health Care Act No. 1593, the Code of Obligation, the Apprenticeship and Vocational Training Act No. 3308, the GOT signed an MOU to eliminate child labor under the International Program on the Elimination of Child Labor (IPEC). The initial commitment was renewed through September 2006. Turkey also ratified the main ILO conventions 138 and 182 pertaining to child labor. In line with Convention 182, the GOT initiated a policy to eradicate the worst forms of child labor: Time-Bound Policy and Program Framework for the Elimination of the Worst Forms of Child Labor (WFCL) in Turkey.

B. Regulations for implementation and enforcement of proscriptions against the worst forms of child labor:

--The above-mentioned laws contain implementation provisions which also mention public agencies in charge of implementation and monitoring. There is also an Emergency Action Plan and the 8th 5-year Development Plan. In early 2005, the Prime Ministry issued a circular to all public offices, instructing how to guide children working in the streets to education. The circular was assigned to five ministries, and the ministries have begun work designed to totally eliminate the worst forms of child labor within 10 to 15 years.

--The Labor and Social Security Ministry, Child Labor Department, has been tasked with implementing the provisions in support of elimination of the WFCL. The Labor Ministry's Labor Inspectors Board monitors the implementation of the Labor Law. The Labor Inspectors Board's duty is defined by ILO Convention 81. The GOT allocates resources to investigate child labor cases across the country. Approximately 100 of the 700 field inspectors have been trained to handle child labor issues, while the total number of establishments falling within the jurisdiction of the Ministry of Labor is almost four million. The Ministry of Labor's records do not categorize child labor-related inspections specifically.

--The GOT has been conducting awareness-raising and training activities for officials in charge of enforcing child labor laws. There were Time-Bound meetings in Izmir, Kizilcahamam and Abant in September, November-December 2004 and April-May 2005.

C. Whether there are social programs to prevent and withdraw children from the worst forms of child labor.

--The GOT has been working with the EU (extensively with the German Labor Ministry), unions, other NGO's, all employers and workers' groups and universities to prevent children from entering exploitive work situations. The GOT has developed a minimum of 105 projects since 1992. The GOT has allocated USD 15 million for such projects for 2005 through 2007. The U.S. Department of labor has provided six million USD of this amount in grant form for a project working to eliminate child labor in agriculture through education from 2004-2008.

--Under the Law on Social Services and Child Protection Institution, No. 2828, children who are subject to the WFCL are placed under the protection of the state. Care and rehabilitation services are provided (including dormitories) to those children at 30 centers around the country.

--The GOT provides support to international and national projects promoting children's access to primary schooling and to enhance the quality and relevance of schooling. EU and World Bank projects are underway, as well as national campaigns, including "Come On Girls, To School!" and "Child Friendly Education Project."

--The National Basic Education Law adopted in 1997 mandates compulsory education through the eighth grade. This rule has had a substantial positive impact toward eliminating child labor. The GOT is committed to ensuring full implementation of the Basic Education Law, and the Ministry of Education is making strong efforts in this direction. Provincial governors are authorized to monitor student attendance through local offices and violators of the legislation are subject to prosecution under the judicial system.

1D. Does the country have a comprehensive policy aimed at the elimination of the worst forms of child labor?

--In 2002 the GOT prepared a comprehensive national program called Time-Bound Policies and Program for the Elimination of WFCL. The GOT has been making public statements and commitments to eradicate WFCL.

--The GOT increased the level of resource allocation to the Child Labor Unit of the Ministry of Labor and Social Services. Staff levels have increased from three to 12 in **12005**. Depending on the projects initiated, this number could rise further.

1E. Is the country making continual progress toward eliminating the worst forms of child labor?

--The only official figures are polls conducted by the State Statistics Institute in 1994 and 1999. Those polls show that there was a regular decrease in the number of working children every year. The biggest reason for the decline in the figures is the implementation in 1997 of compulsory 8-year education. Labor Ministry officials believe that 8-year mandatory education reduced the child labor figures by half. Detailed and up-to-date information is necessary to close the knowledge gap as to the nature, magnitude, consequences and emerging trends in the WFCL. The Child Labor Unit has been expressing this need.

--Labor Ministry officials noted that work conducted across the country, the increase in press coverage of the issue, and the emphasis on eliminating child labor by public institutions are clear examples of constant improvement in the country.

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